

MESSAGE NO: 0279313 MESSAGE DATE: 10/06/2010

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: AFF-Affirmative

FR CITE: 75 FR 60725 FR CITE DATE: 10/01/2010

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-964

EFFECTIVE DATE: 10/01/2010 COURT CASE #:

PERIOD OF REVIEW: 01/01/2009 TO 06/30/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-964)

1. ON 10/01/2010, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM THE PEOPLE'S REPUBLIC OF CHINA (75 FR 60725).

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS ALL SEAMLESS CIRCULAR REFINED COPPER PIPES AND TUBES, INCLUDING REDRAW HOLLOWS, GREATER THAN OR EQUAL TO 6 INCHES (152.4 MM) IN LENGTH AND MEASURING LESS THAN 12.130 INCHES (308.102 MM) (ACTUAL) IN OUTSIDE DIAMETER ("OD"), REGARDLESS OF WALL THICKNESS, BORE (E.G., SMOOTH, ENHANCED WITH INNER GROOVES OR RIDGES), MANUFACTURING PROCESS (E.G., HOT FINISHED, COLD-DRAWN, ANNEALED), OUTER SURFACE (E.G., PLAIN OR ENHANCED WITH GROOVES, RIDGES, FINS, OR GILLS), END FINISH (E.G., PLAIN END, SWAGED END, FLARED END, EXPANDED END, CRIMPED END, THREADED), COATING (E.G., PLASTIC, PAINT), INSULATION, ATTACHMENTS (E.G., PLAIN, CAPPED, PLUGGED, WITH COMPRESSION OR OTHER FITTING), OR PHYSICAL CONFIGURATION (E.G., STRAIGHT, COILED, BENT, WOUND ON SPOOLS).

THE SCOPE OF THIS INVESTIGATION COVERS, BUT IS NOT LIMITED TO, SEAMLESS REFINED COPPER PIPE AND TUBE PRODUCED OR COMPARABLE TO THE AMERICAN SOCIETY FOR TESTING AND MATERIALS ("ASTM") ASTM-B42, ASTM-B68, ASTM-B75, ASTM-B88, ASTM-B88M, ASTM-B188, ASTM-B251, ASTM-B251M, ASTM-B280, ASTM-B302, ASTM-B306, ASTM-359, ASTM-B743, ASTM-B819, AND ASTM-B903 SPECIFICATIONS AND MEETING THE PHYSICAL PARAMETERS DESCRIBED THEREIN. ALSO INCLUDED WITHIN THE SCOPE OF THESE INVESTIGATION ARE ALL SETS OF COVERED PRODUCTS, INCLUDING "LINE SETS" OF SEAMLESS REFINED COPPER TUBES (WITH OR WITHOUT FITTINGS OR INSULATION) SUITABLE FOR CONNECTING AN OUTDOOR AIR CONDITIONER OR HEAT PUMP TO AN INDOOR EVAPORATOR UNIT. THE PHRASE "ALL SETS OF COVERED PRODUCTS" DENOTES ANY COMBINATION OF ITEMS PUT UP FOR

SALE THAT IS COMPRISED OF MERCHANDISE SUBJECT TO THE SCOPE.

“REFINED COPPER” IS DEFINED AS: (1) METAL CONTAINING AT LEAST 99.85 PERCENT BY WEIGHT OF COPPER; OR (2) METAL CONTAINING AT LEAST 97.5 PERCENT BY WEIGHT OF COPPER, PROVIDED THAT THE CONTENT BY WEIGHT OF ANY OTHER ELEMENT DOES NOT EXCEED THE FOLLOWING LIMITS:

ELEMENT LIMITING CONTENT PERCENT BY WEIGHT

AG - SILVER 0.25

AS - ARSENIC 0.5

CD - CADMIUM 1.3

CR - CHROMIUM 1.4

MG - MAGNESIUM 0.8

PB - LEAD 1.5

S - SULFUR 0.7

SN - TIN 0.8

TE - TELLURIUM 0.8

ZN - ZINC 1.0

ZR - ZIRCONIUM 0.3

OTHER ELEMENTS (EACH) 0.3

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE ALL SEAMLESS CIRCULAR HOLLOWS OF REFINED COPPER LESS THAN 12 INCHES IN LENGTH WHOSE OD (ACTUAL) EXCEEDS ITS LENGTH. THE PRODUCTS SUBJECT TO THIS INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 7411.10.1030 AND 7411.10.1090 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (“HTSUS”). PRODUCTS SUBJECT TO THIS INVESTIGATION MAY ALSO ENTER UNDER HTSUS SUBHEADINGS 7407.10.1500, 7419.99.5050, 8415.90.8065, AND 8415.90.8085. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-964.

4. FOR IMPORTS OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM THE PEOPLE’S REPUBLIC OF CHINA, CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/12/2010.

5. EFFECTIVE 10/01/2010, CBP SHALL REQUIRE, FOR ENTRIES OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM THE EXPORTER/PRODUCER COMBINATIONS LISTED BELOW, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ANTIDUMPING DUTY RATES SHOWN BELOW:

EXPORTER: GOLDEN DRAGON PRECISE COPPER TUBE GROUP, INC.

PRODUCER: GOLDEN DRAGON PRECISE COPPER TUBE GROUP, INC.

CASE NUMBER: A-570-964-001

CASH DEPOSIT RATE: 11.25

EXPORTER: ZHEJIANG HAILIANG CO. LTD.; HONG KONG HAILIANG METAL TRADING LIMITED; SHANGHAI HAILIANG COPPER CO., LTD.

PRODUCER: ZHEJIANG HAILIANG CO. LTD.; SHANGHAI HAILIANG COPPER CO., LTD.

CASE NUMBER: A-570-964-002

CASH DEPOSIT RATE: 60.85

EXPORTER: ZHEJIANG NAILE COPPER CO., LTD.

PRODUCER: ZHEJIANG NAILE COPPER CO., LTD.

CASE NUMBER: A-570-964-003

CASH DEPOSIT RATE: 36.05

EXPORTER: ZHEJIANG JIAHE PIPES INC.

PRODUCER: ZHEJIANG JIAHE PIPES INC.

CASE NUMBER: A-570-964-004

CASH DEPOSIT RATE: 36.05

EXPORTER: LUVATA TUBE (ZHONGSHAN) LTD.

PRODUCER: LUVATA TUBE (ZHONGSHAN) LTD.

CASE NUMBER: A-570-964-005

CASH DEPOSIT RATE: 36.05

EXPORTER: LUVATA TUBE (ZHONGSHAN) LTD.

PRODUCER: LUVATA ALLTOP (ZHONGSHAN) LTD.

CASE NUMBER: A-570-964-006

CASH DEPOSIT RATE: 36.05

EXPORTER: LUVATA ALLTOP (ZHONGSHAN) LTD.

PRODUCER: LUVATA ALLTOP (ZHONGSHAN) LTD.

CASE NUMBER: A-570-964-007

CASH DEPOSIT RATE: 36.05

EXPORTER: NINGBO JINTIAN COPPER TUBE CO. LTD.

PRODUCER: NINGBO JINTIAN COPPER TUBE CO. LTD.

CASE NUMBER: A-570-964-008

CASH DEPOSIT RATE: 36.05

EXPORTER: PRC-WIDE ENTITY

PRODUCER: PRC-WIDE ENTITY

CASE NUMBER: A-570-964-000

CASH DEPOSIT RATE: 60.85

6. FOR ALL OTHER ENTRIES OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM THE PEOPLE'S REPUBLIC OF CHINA, THE FOLLOWING CASH DEPOSIT/BONDING INSTRUCTIONS APPLY:

A. FOR ALL PRC EXPORTERS OF SEAMLESS REFINED COPPER PIPE AND TUBE WHICH HAVE NOT RECEIVED THEIR OWN RATE, THE CASH-DEPOSIT OR BONDING RATE WILL BE THE PRC-WIDE RATE.

B. FOR ALL NON-PRC EXPORTERS OF SEAMLESS REFINED COPPER PIPE AND TUBE WHICH HAVE NOT RECEIVED THEIR OWN RATE, THE CASH-DEPOSIT OR BONDING RATE WILL BE THE RATE APPLICABLE TO THE PRODUCER/EXPORTER COMBINATIONS THAT SUPPLIED THAT NON-PRC EXPORTER.

7. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR

RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION,
INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202)
482-0984 OR (202) 482-3577, RESPECTIVELY. (GENERATED BY 04:SMH)

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-964-000	60.85%	E		CHINA-WIDE ENTITY
A-570-964-000		M		CHINA-WIDE ENTITY
A-570-964-001	11.25%	E	CNGOLDRA191X IN	GOLDEN DRAGON PRECISE COPPER TUBE GROUP INC
A-570-964-001		M	CNGOLDRA191X IN	GOLDEN DRAGON PRECISE COPPER TUBE GROUP INC
A-570-964-002	60.85%	E		ZHEJIANG HAILIANG CO. LTD. (SEE PARA. 5 MESSAGE BODY)
A-570-964-002		M		ZHEJIANG HAILIANG CO. LTD. (SEE PARA. 5 MESSAGE BODY)
A-570-964-003	36.05%	E		ZHEJIANG NAILE COPPER CO., LTD.
A-570-964-003		M		ZHEJIANG NAILE COPPER CO., LTD.
A-570-964-004	36.05%	E		ZHEJIANG JIAHE PIPES INC.
A-570-964-004		M		ZHEJIANG JIAHE PIPES INC.
A-570-964-005	36.05%	E		LUVATA TUBE (ZHONGSHAN) LTD.
A-570-964-005		M		LUVATA TUBE (ZHONGSHAN) LTD.
A-570-964-006	36.05%	E		LUVATA TUBE (ZHONGSHAN) LTD.
A-570-964-006		M		LUVATA ALLTOP (ZHONGSHAN) LTD.

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-964-007	36.05%	E		LUVATA ALLTOP (ZHONGSHAN) LTD.
A-570-964-007		M		LUVATA ALLTOP (ZHONGSHAN) LTD.
A-570-964-008	36.05%	E		NINGBO JINTIAN COPPER TUBE CO. LTD.
A-570-964-008		M		NINGBO JINTIAN COPPER TUBE CO. LTD.